



INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

MULTI-COUNTRY

EU Integration Facility for the Western Balkans and Turkey

Action summary

The objective of the EU Integration Facility is to facilitate progress in key areas of needed reforms required by the Western Balkans and Turkey to comply with Union values, including strengthening the rule of law, by supporting actions that address specific priority and urgent needs in the region, including interventions in the context of the COVID-19 pandemic.

The action contains a number of small interventions such as provision of technical assistance, preparatory, pilot or start up/bridging actions. It may also cover relevant studies, networking, visibility, evaluation activities, as well as training or capacity-building activities. An identification and formulation study on cybersecurity in the Western Balkans as well as a mapping and identification study of the Diaspora from the Western Balkans are, among others, foreseen to be carried out.

The action also already identifies the implementation of a pilot action on judicial training. In line with the enlargement and association and stabilisation process as well as the Western Balkan Strategy, this pilot action will aim at strengthening the rule of law in the targeted IPA II beneficiaries by enhancing the skills and capacities of judges and prosecutors mainly on EU *acquis*. This will be achieved by improving the institutional capacity of judicial training institutions in delivering strong, adequate and efficient judicial training to judges and prosecutors mainly on EU *acquis*.

Action Identification	
Action Programme Title	IPA II Multi-country Action Programme 2020 – part 1
Action Title	EU Integration Facility for the Western Balkans and Turkey
Action ID	IPA 2020/041-818.10/MC/EU Integration Facility
Sector Information	
IPA II Sector	9. Regional and territorial cooperation
DAC Sector	43010 – Multisector aid
Budget	
Total cost	EUR 3.6 million
EU contribution	EUR 3.6 million
Budget line(s)	22.020401- Multi-country programmes, regional integration and territorial cooperation
Management and Implementation	
Method of implementation	Direct and indirect management
<i>Direct management:</i> European Commission	Directorate-General for Neighbourhood and Enlargement Negotiations– Unit D.5 Regional Cooperation and Programmes
<i>Indirect management:</i> Entrusted entity	EU Member State agency – cybersecurity study International organisation – diaspora study
Implementation responsibilities	Directorate-General for Neighbourhood and Enlargement Negotiations– Unit D.5 Regional Cooperation and Programmes Directorate-General for Neighbourhood and Enlargement Negotiations– Unit A.3 Thematic support, Economic Governance and IFIs, Public Administration Reform – (diaspora study)
Location	
Zone benefiting from the action	Western Balkans (Republic of Albania, Bosnia and Herzegovina, Kosovo*, Montenegro, Republic of North Macedonia, and Republic of Serbia) and Republic of Turkey
Specific implementation area(s)	N/A
Timeline	
Final date for contracting including the conclusion of contribution/delegation agreements	At the latest by 31 December 2021
Final date for operational implementation	72 months from the adoption of the Financing Decision

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

Policy objectives / Markers (DAC form)			
General policy objective	Not targeted	Significant objective	Main objective
Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender equality (including Women In Development)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RIO Convention markers	Not targeted	Significant objective	Main objective
Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

The EU process is built on strict but fair conditionality with progress towards membership dependent on the steps taken to meet the established criteria. Each partner is assessed on the basis of its own merits so as to provide incentives to pursue far-reaching reforms.

Addressing reforms in the area of rule of law, fundamental rights and democracy are among the very first priorities of this process. It is the key benchmark against which the European Union will measure the European perspective of these partners.

The IPA II beneficiaries, however, still face a number of common challenges in these areas, as reflected in the EU enlargement strategy and annual enlargement package¹.

The main challenges in the area of democracy and public administration reforms concern the general functioning of public administration, including independent institutions; the professionalization of the civil service; the quality and accessibility of public services; and the sound financial management of public funds. Public administration in the Western Balkans and Turkey need to further develop capacity for inclusive and evidence-based policy and law-making. A further key challenge is empowering the civil society in effective participation to policy-making and monitoring of government performance. In addition, as reflected in the Western Balkans Strategy and the Sofia Declaration², the Western Balkans IPA II beneficiaries need to take further steps to enhance the independence, impartiality and efficiency of their respective judicial system, on strengthening the skills and capacities of judges, prosecutors and court officers in the region.

In this context, continuous legal education or “judicial training” of the judiciary plays a crucial role not only to enhance the skills of judges and prosecutors but also to support a shift in mentality, equipping the beneficiaries with the needed knowledge and good practice of EU law. The judicial training further contributes to consistent and coherent implementation of EU legislation.

In the Western Balkans IPA II beneficiaries, the main stakeholders relevant to the pilot action on judicial training are the judicial training institutions³, as they are the main institutions providing training courses and support to judges and prosecutors. Over the years, the EU but also other partners have provided support to judicial training institutions with a view to enhance their training capacities. These efforts have, however, been scattered and have not sufficiently tackled the need to sustainably enhance the institutional capacity of the training institutions in identifying and adequately addressing the training needs of the judiciary, particularly with a view to align with the EU *acquis* and practice. In addition, the improvement of judicial skills should, as much as relevant, also consider actions outside the capitals to involve a larger number and range of judges and prosecutors who will ultimately also be confronted to the implementation of the EU *acquis*. In the specific context of Montenegro, where the ongoing assistance to the training capacities of the Judicial Training Center is exclusively focused on training courses for judges and prosecutors based in Podgorica, there is need to deploy complementary support to reach out to judges based outside the capital.

There is also need to progressively build on and connect the legal communities in the Western Balkans including by enabling best practice exchanges with key EU stakeholders. Increasing ties between IPA II beneficiaries’ judicial training institutions and relevant EU networks, such as the European Judicial Training Network (EJTN), will contribute to develop these exchanges.

¹ 2019 Communication on EU Enlargement Policy, COM(2019) 260 final.

² “A credible enlargement perspective for and enhanced eu engagement with the western balkans”, COM (2018) 65 final; Sofia Declaration, 17 May 2018, available at: https://www.consilium.europa.eu/media/34776/sofia-declaration_en.pdf

³ Albania: Magistrates School, Bosnia and Herzegovina: Public Institution Centre for Judicial and Prosecutorial Training and the Centre for Judicial and Prosecutorial Training of Republika Srpska, Kosovo: Academy of Justice, North Macedonia: Academy for Judges and Public Prosecutors, Montenegro: Judicial Training Centre, and Serbia: Judicial Academy.

Additionally, there is need for all the IPA II beneficiaries to strengthen their economic governance and improving competitiveness in order to meet economic criteria. None of the Western Balkans beneficiaries enjoys the status of a functioning market economy. Structural reforms need to be prioritised and competitiveness enhanced, in order to support fiscal consolidation, to tackle high external imbalances as well as high unemployment. Both using the benefits of modern technology for efficiency and supporting the digital economy to enhance overall competitiveness.

Regional cooperation remains essential for ensuring lasting stability in the region and thus for the enlargement process. It is a key enabling factor for comprehensive reforms and the return to sustainable economic growth. All IPA II beneficiaries, in their European perspective need to align their legislation to the *acquis* and to gradually adapt to the Union standards and practices. This task is facilitated with the support of regional organisations or bodies set up by the IPA II beneficiaries in many sectors. In addition, the IPA II beneficiaries face a number of common problems, which they could more efficiently address through peer review and sharing of good practices at regional level.

This is all the more valid in the field of environment and climate change for which EU *acquis* is ambitious and regional cooperation is key to address transboundary issues and ease potential tensions. In addition to strong investment's needs in the field of water and waste in particular, the main challenges in these areas faced by all IPA II beneficiaries in the region are mainly twofold. Beneficiaries need to have a structured co-operation among all relevant ministries and stakeholders including local authorities, industry and civil society. They also need to set a strong and well-equipped administration at central and local level, imperative for *acquis* implementation and enforcement. Improving environmental governance in the region is therefore a major challenge, also linked to public administration reform and public finance management.

The 2019 Communication on EU Enlargement acknowledges that there is a considerable scope for the Western Balkans to embark on a Green Agenda for the region to address environmental issues, ranging from waste disposal and air pollution to broader issues such as climate change. In line with the President-elect political guidelines and international commitment of each IPA II beneficiaries (Paris Agreement, Sustainable Development Goals), the Green Agenda will reflect the European Green Deal.

The 2018 Western Balkans strategy initiated the launch of the Digital Agenda for the Western Balkans. Following the launch, high-level awareness has been raised on the importance of digital policy for economic and societal development. The use of the EU Integration Facility would be highly beneficial in order to materialise the actions in the Commission's Digital Agenda for the Western Balkans as well as help the region in its reforms including on cybersecurity.

In the current evolving context, such as the one related to the COVID-19 pandemic it is necessary to allocate funding and facilitate interventions which can materialise in different forms of immediate support.

OUTLINE OF IPA II ASSISTANCE

In line with the above, the action will enable the implementation of a number of small actions in order to meet specific and urgent needs in the region, including interventions in the context of the COVID-19 pandemic, and others to mitigate potential gaps towards the transition to IPA III under the next multi-annual financial framework, as well as relevant support to networking, visibility or evaluation activities or unforeseen needs. In that sense, the activities and the tasks will aim to enhance technical and administrative capacity needed for *acquis* chapters through creation of an EU Integration Facility for the unspecified institution building needs and support for the relevant EU networks. By promoting regional cooperation and exchange, good practices can be shared and enhanced in the region. Interventions can include training or technical assistance, grants, studies, etc. A specific identification and formulation study on cybersecurity is already foreseen to be carried out. A mapping and identification study of the Diaspora from the Western Balkans is also planned. At this stage it is identified that the EU Integration Facility will support a pilot action aiming at strengthening the rule of law in the Western Balkans IPA II beneficiaries by enhancing the skills and capacities of judges and prosecutors mainly on EU *acquis*. It will improve the institutional capacity of judicial training institutions to deliver strong, adequate and efficient judicial training to judges and

prosecutors mainly on EU *acquis*. The main expected results will include: (1) enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in assessing training needs mainly relating to EU *acquis*; (2) enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in designing and implementing strong training programmes mainly on EU *acquis*; and (3) enhanced exchanges between judicial training institutions from Western Balkans IPA II beneficiaries and European peer institutions.

RELEVANCE WITH THE IPA II MULTI-COUNTRY INDICATIVE STRATEGY PAPER AND OTHER KEY REFERENCES

The support to be provided under this action will be granted in line with the areas identified as priorities in the revised Multi-country Indicative Strategy Paper 2014-2020⁴, in support of the Western Balkans and Turkey, as well as in the Western Balkan Strategy of 6 February 2018 “*A credible enlargement perspective for and enhanced EU engagement with the Western Balkans*”.

In particular, in the revised IPA II Multi-country Indicative Strategy Paper 2014-2020, it is highlighted that addressing reforms in the area of rule of law is a priority for the IPA II beneficiaries. Beneficiaries are expected to build up their administrative, institutional and judicial capacities for the adoption and correct implementation of the Union *acquis*.

The Western Balkans Strategy of 6 February 2018 recently recalled these core objectives and stressed the urgent need to significantly strengthen the rule of law in the region. The independence, quality and efficiency of the judicial system are essential to ensure fairness and to hold the executive and legislative branches of government to account. This is a precondition for any democratic society based on the rule of law and for its economic development. Under the Flagship 1 initiative of the Western Balkans Strategy, the European Commission has recalled its commitment to support such reforms.

In the Sofia Declaration, the Western Balkans IPA II beneficiaries also recalled their strong commitment to strengthening support to the rule of law and good governance.

The IPA II support will be shaped to be consistent with other EU policies in the same area, in particular with the Europe 2020 strategy and the applicable EU macro-regional strategies, with the flagship initiatives of the EU to boost growth and jobs and with the climate policy objectives of the EU. Furthermore, the objectives agreed under the South East Europe 2020 Strategy represent important benchmarks for the reform efforts of the IPA II beneficiaries and the financial assistance under IPA II will be used to support meeting these targets.

Roma⁵ inclusion is an integral of the fundamentals first approach of the European perspective, a moral imperative based on EU values and smart economics in an aging Europe. This is supported by various EU policies and Roma relevant EU anti-discrimination law.

In the field of environment, climate and energy, a joint “Statement on Clean Energy Transition for the Western Balkans” has been endorsed by the Ministers of energy and environment in Podgorica in February 2019 and by the leaders of the region in Poznan in July 2019. They agreed to align with the EU’s energy, environment and climate policies and targets, reaffirming their commitment to foster decarbonisation, renewables and energy efficiency, which will further anchor them on their European perspective. Leaders did also agree in Poznan to contribute to the Green Agenda for the Western Balkans to be launched in 2020.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

⁴ C(2018) 3442, 31.05.2018.

⁵ In line with the terminology of European institutions the umbrella term ‘Roma’ is used here to refer to a number of different groups (e.g. Roma, Sinti, Kale, Gypsies, Romanichels, Boyash, Ashkali, Egyptians, Yenish, Dom, Lom, Rom, Abdal...) without denying the specificities of these groups.

An EU Integration Facility was included in the previous programmes under IPA. It helped to strengthen the link between the policy agenda and financial assistance by allowing a faster response to a limited number of unforeseen priority needs and to carry out pilot projects, which were not yet ready for implementation. The preparatory study on parliamentary cooperation is one example of a successful use of the EU Integration Facility as it allowed the European Commission to gather more solid information before deciding on the way forward.

Another lesson learned from previous assistance is the difficulty to prove the impact of our interventions, as appears from several evaluations. This difficulty is a consequence of the practice of not conducting project/programme evaluations to identify findings also by means of appropriate quantitative and qualitative methodologies. In this respect, and in line with the evaluation policy and the Guidelines on linking planning/programming, monitoring and evaluation of the Directorate-General for Neighbourhood and Enlargement Negotiations, it is considered necessary to dedicate an appropriate budget during the programming stage for carrying out sector/project evaluations.

A further lesson is that there has to be a better link between EU assistance to public administration reform (PAR) and assistance to different sectors and/or negotiation Chapters. While PAR actions support coordinating institutions such as Ministries of Public Administration, Ministries of Finance, General Secretariats and Ministries of European Integration with preparation of new legislation, methodological guidance and quality control functions, they do not generally support line institutions with actual implementation of the new requirements. The EU assistance for different sectors will therefore need to ensure that PAR legislation and guidance are systematically respected during preparation of strategies and laws, creation of new agencies, supporting human resources development and training activities, setting up IT systems, etc. Especially, any new policies/strategies and legislation need to be prepared in an inclusive and evidence-based process (on the basis of administrative data, impact assessments for laws, inter-ministerial and public consultations) and any new institutions need to be created in a rational manner, respecting accountability requirements between parent and sub-ordinated institutions.

An EU Integration Facility is also programmed at bilateral level. Though the scope differs from the one planned at regional level, complementary will be ensured in order to look for opportunities to have synergies among the programmes, also in terms of implementation methods.

The pilot action on judicial training builds on the solid experience of the EJTN both with its EU members and in the Western Balkans. The Western Balkans judicial training institutions have already the opportunity to participate, as observers, to EJTN activities. The pilot is designed to address shortcomings observed in externally supported judicial training programmes in the region and to further build on the results and lessons learned of past and ongoing similar actions implemented by different actors in the Western Balkans. In order to ensure the most effective and efficient use of resources throughout this pilot action, and to avoid duplication, EJTN will further seek close cooperation and synergy with other stakeholders, including with the Regional Cooperation Council (RCC).

Given the evolution of EU *acquis* and political agenda in the field of clean energy transition and Green Deal, there is a need to further mainstream environment and climate in IPA assistance and set the conditions to develop a proper environmental governance in the region.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE(S) / (IMPACT(S))	INDICATOR'S NAME	OBJECTIVELY VERIFIABLE INDICATORS			SOURCES & MEANS OF VERIFICATION	
		BASELINES (INCL. VALUE & REFERENCE YEAR)	MILESTONES (INCL. VALUE & REFERENCE YEAR)	TARGETS (INCL. VALUE & REFERENCE YEAR)		
To facilitate progress in key areas of needed reforms required by the Western Balkans and Turkey to comply with Union values	Progress made on political and economic criteria as well as in the respective areas as indicated in the annual enlargement package				Commission Annual Reports and Enlargement strategy	
SPECIFIC OBJECTIVE(S) / OUTCOME(S)	OBJECTIVELY VERIFIABLE INDICATORS (*)				SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Specific Objective 1: To support flexible, preparatory/pilot actions addressing urgent and/or unforeseen that merit to be addressed rapidly in order to assure continuity in the European perspective and herewith related issues</p> <p>Specific Objective 2: To improve the institutional capacity of judicial training institutions of the Western Balkans IPA II beneficiaries in delivering strong, adequate and efficient judicial training to judges and prosecutors mainly on EU <i>acquis</i></p>	<p>Degree of timely implementation of multi-country action programmes – number of contracts under implementation</p> <p>Increase in number of successful training programmes delivered mainly on EU <i>acquis</i></p>	<p>0 (2020)</p> <p>Baseline to be developed in inception phase</p>	<p>6 (2021)</p> <p>20% increase (2021)</p>	<p>9 (by end of action)</p> <p>40% increase (by end of action)</p>	<p>Financial assistance implementation reports</p> <p>Progress Reports and Enlargement strategy</p> <p>Other EU reports</p>	<p>The continuing commitment of IPA II beneficiaries to an inclusive process of deepening regional cooperation.</p> <p>Effective cooperation of domestic judicial training institutions</p>
OUTPUTS	OBJECTIVELY VERIFIABLE INDICATORS (*)				SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Output 1 (influencing Specific Objective 1) : Implementation of a number of preparatory, pilot and start-up actions/ urgent/bridging support for important regional initiatives and organisations ensured</p> <p>Output 2 (influencing Specific Objective 1) : TA provided, studies, assessments, monitoring missions, evaluations carried out</p> <p>Output 3 (influencing Specific Objective 1) : Increased visibility of EU support and visibility material produced</p> <p>Output 4 (influencing Specific Objective 2): Enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in assessing training needs mainly relating to EU <i>acquis</i></p> <p>Output 5 (influencing Specific Objective 2):</p>	<p>Output 1: Number of preparatory, pilot and start-up actions implemented / regional initiatives supported (including sex-disaggregated data)</p> <p>Output 2: Number of outputs, such as Terms of Reference, technical specifications, feasibility studies and other documents, monitoring missions, evaluations (including sex-disaggregated data)</p> <p>Output 3: Quality (nature and scope) of communication materials produced</p> <p>Output 4: Degree of satisfaction of judges and prosecutors regarding training needs' assessment (including sex-disaggregated data)</p>	<p>Output 1: (2020) 0</p> <p>Output 2: (2020) 0</p> <p>Output 3: (2020) 0</p> <p>Output 4: (2020) Low level of satisfaction</p> <p>Output 5: (2020) Low level of satisfaction</p> <p>Output 6: (2020)</p>	<p>Output 1: (2021) 2-3</p> <p>Output 2: (2021) 3-4</p> <p>Output 3: (2021) 1-2</p> <p>Output 4: (2021) 20% increased satisfaction</p> <p>Output 5: (2021) 20% increased satisfaction</p> <p>Output 6: (2021)</p>	<p>Output 1: (by end of action) 3-4</p> <p>Output 2: (by end of action) 4-5</p> <p>Output 3: (by end of action) 2-3</p> <p>Output 4: (by end of action) 40% increased satisfaction</p> <p>Output 5: (by end of</p>	<p>Output 1, 2 and 3 Implementation reports Studies Activity reports , progress reports, monitoring mission reports; publications; agenda and preparation for workshops</p> <p>Outputs 4 and 5: Structured interviews/ focus group discussions / surveys of targeted audience</p> <p>Output 6: Report of the pilot action</p>	<p>Timely identification of the needs, which need to be addressed by this facility</p> <p>Political commitment from the IPA II beneficiaries , including technical, financial and adequate human resources allocated to the implementation of the activities</p>

<p>Enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in designing and implementing strong training programmes mainly on EU <i>acquis</i></p> <p>Output 6 (influencing Specific Objective 2): Enhanced exchanges between judicial training institutions from Western Balkans IPA beneficiaries and European peer institutions</p>	<p>Output 5 Degree of satisfaction of judges and prosecutors regarding the quality of training programmes (including sex- disaggregated data)</p> <p>Output 6: Number of exchanges between judicial training institutions from Western Balkans IPA II beneficiaries and European peer institutions as a result of the action (including sex- disaggregated data)</p>	<p>Baseline to be developed in inception phase</p>	<p>10% increase in exchanges</p>	<p>action) 40% increased satisfaction</p> <p>Output 6: (by end of action) 25 % increase in exchanges</p>		<p>Active participation of the relevant stakeholders from the IPA II beneficiaries</p> <p>Effective cooperation of domestic judicial training institutions</p>
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DESCRIPTION OF ACTIVITIES

The EU Integration Facility will enhance technical and administrative capacity for *acquis* chapters through institution building (training or technical assistance, grants, etc.) and support for the relevant EU networks. Under this Facility, a number of small actions will be implemented in order to meet specific and urgent needs in the region, including interventions in the context of the COVID-19 pandemic.

The support can be provided in cases where an initial proposal is considered to be a priority for IPA II financial assistance (justified in terms of short or medium term priorities; and relevant strategic documents), but where further efforts are needed to design and appraise mature actions, ready for implementation under the upcoming IPA financial assistance action programme.

The following expected outputs are to be pursued:

Output 1: Implementation of a number of preparatory, pilot and start-up actions/ urgent/bridging support for important regional initiatives and organisations ensured.

Output 2: TA provided, studies, assessments, monitoring missions, evaluations carried out.

In particular, an identification and formulation study on cybersecurity as well as a mapping and identification study of the Diaspora from the Western Balkans have already been identified.

Output 3: Increased visibility of EU support and visibility material produced.

At this stage, the following pilot intervention has already been identified:

- Pilot Action on Judicial Training:

Expected Output 4: Enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in training needs' assessments mainly relating to EU *acquis*

- Hands-on capacity-building and mentoring of the Serbian JA and Montenegrin JTC in conducting training needs' assessments, including gender-inclusive assessment methods, building upon lessons learnt from past programmes;
- Best practice sharing activities on conducting training needs' assessments;
- The activities with the Montenegrin JTC will specifically target small courts in the municipalities outside Podgorica.

Expected Result 5: Enhanced capacities of the Serbian Judicial Academy (JA) and the Montenegrin Judicial Training Centre (JTC) in designing and implementing strong training programmes mainly on EU *acquis*

- Hands-on capacity-building and mentoring of the Serbian JA and Montenegrin JTC in designing and implementing training programmes mirroring identified needs, including designing and implementing gender-inclusive programmes as well as monitoring and evaluating training programmes;
- Best practice sharing activities in designing and implementing training programmes mainly on *EU acquis*.
- The activities with the Montenegrin JTC will specifically target small courts in the municipalities outside Podgorica.

Expected Result 6: Enhanced exchanges between judicial training institutions from Western Balkans IPA beneficiaries and European peer institutions

- Participation of judicial training institutions from Western Balkans IPA beneficiaries to EJTN activities or programmes, according to pre-identified needs and in close coordination with the concerned judicial training institutions.

The activities will be developed and implemented in close cooperation with the main stakeholders to build on their actual needs and priorities as well as to ensure full ownership and sustainability. The activities will be designed and implemented in close cooperation and synergy with other stakeholders, such as the Regional Cooperation Council (RCC).

Other interventions, not yet identified, may include:

- Provision of short-term technical expert assistance, such as drafting the tender documents and/or terms of reference and technical specifications for the implementation of IPA II funded actions;
- Feasibility studies, assessments, and other preparatory and start-up actions;
- Pilot actions to test new initiatives which may then be replicated on a wider scale;
- Visibility for multi-country activities;
- Provision of training support to relevant authorities;
- Monitoring and if applicable evaluation of multi-country actions during or following the implementation;
- Support to regional networks by and, amongst others, organisation of regional meetings, workshops, study visits in strategically important areas;
- Support to translation of existing tools for the benefit of the IPA II beneficiaries.

RISKS

The lack of or reduced commitment of IPA II beneficiaries to an inclusive process of deepening regional cooperation, as well as insufficient timely identification of the needs to be addressed by this facility could jeopardise the implementation of the action.

The underlying assumption on which the success of the programme depends is also the continuous commitment of the administrations in the IPA II beneficiaries to the establishment of harmonised international or regional processes in the supported sectors.

The risks are mitigated by a continuous commitment to raise awareness on importance of the participation of the relevant stakeholders from the IPA II beneficiaries in the different activities, as well as a close monitoring and follow up of the resources dedicated to the facility.

CONDITIONS FOR IMPLEMENTATION

In order to ensure an effective and timely implementation of the action, it is necessary a continuous commitment and cooperation of decision-makers in IPA II beneficiaries to provide sufficient resources and to support full operation of the established networks, systems and institutional frameworks in the relevant areas of interventions.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

The European Commission will be the contracting authority. This action will be implemented partly in direct management, with Unit D.5 being responsible for the contracts' implementation and monitoring; and partly in indirect management - Unit D.5 (study on cybersecurity) and Unit A.3 (study on diaspora) being responsible for the contracts' implementation and monitoring.

METHOD(S) OF IMPLEMENTATION AND TYPE(S) OF FINANCING (SEE ANNEX IMPLEMENTATION – BUDGET)

Part of the activities will be implemented in indirect management with a Member State agency/ies and/or International organisation/s (EUR 0.9 million).

Part of the activities will be implemented through a number of service contracts in direct management. The global budgetary envelope for procurement amounts to EUR 2.1 million.

Part of the activities will be implemented in direct management through a grant to the European Judicial Training Network (EJTN) for an amount of EUR 0.6 million.

The indicative duration of the individual contracts will be up to 36 months.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

The European Commission may carry out a mid-term, a final or an ex-post evaluation for this action or its components via independent consultants, through a joint mission or via an implementing partner.

In case a mid-term or final evaluation is not foreseen, the European Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. Where an evaluation is to be contracted by the European Commission: The European Commission shall inform the implementing partner in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the IPA II beneficiary and other key stakeholders. The implementing partner and the European Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the action.

The evaluations should be carried out following the Directorate-General for Neighbourhood and Enlargement Negotiations guidelines on linking planning/programming, monitoring and evaluation⁶. It is recommended that a Reference Group comprising the key stakeholders of this action be set up to steer the evaluation process and ensure the required quality level of the evaluation outputs as well as the proper follow-up of the recommendations of the evaluation.

IPA II monitoring process is to be organised and led by Unit D.5. The monitoring process is aimed to improve programming, implementation and sustainability as well as timely identification, remedying and alleviation of potential issues in the process of programming and implementation of the interventions.

⁶ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near_guidelines.zip

In addition, the action might be subject to external monitoring in line with the European Commission rules and procedures.

5. CROSS-CUTTING ISSUES

GENDER MAINSTREAMING

This action will strive to promote gender equality as well to take measures to achieve equal opportunities for male and female in all aspects regarding the implementation of the action.

This action will be implemented through an approach that promotes gender equality. This will be achieved by ensuring gender balance and active participation of women and girls into the activities planned under this action. Where possible, the action will provide for sex-disaggregated data. The pilot action on judicial training will specifically be designed and implemented in a gender-inclusive way.

When relevant for a particular intervention due consideration should be given to the multiple discrimination faced by women from vulnerable groups/minorities, including Roma.

EQUAL OPPORTUNITIES

Equal participation of women and men will be secured through appropriate information and publicity material, in the design of actions and accessibility to the opportunities they offer. An appropriate men/women balance will be sought on all the managing bodies and activities of the action. All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs, as a proof of equal participation of men and women in the different phase. Enforcement of those principles is likewise ensured through specific administrative procedures applied in accordance with the legislation on anti-discrimination. In the implementation of activities under this action, the same principles shall apply, so that participation in the envisaged activities will be guaranteed on the basis of equal access regardless of sex, ethnic origin, religion or belief, disability, age, etc.

MINORITIES AND VULNERABLE GROUPS

The action will positively promote equality of opportunities and combat discrimination. The EU Integration Facility provides for room to support actions that directly deal with minorities and vulnerable groups, including Roma and returnees.

The action will strive to increase anti-discrimination related capacities of the judiciary.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

In complementarity with this facility, the Civil Society Facility helps to ensure an inclusive and transparent dialogue, consultation and communication with all relevant stakeholders in the respective sectors as also including CSOs representing vulnerable groups/minorities.. This serves as a platform that enables exchange of information and contribution of CSOs in relation to planning development assistance, particularly programming and monitoring of the Instrument for Pre-Accession Assistance (IPA).

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

The action being cross-cutting, it should ensure environmental and climate considerations are mainstreamed into all activities. This will contribute to the sustainability of the action. The mainstreaming should be based on the identification and mitigation of environmental and climate risks as well as the potential inclusion of environment in the scope of the activities (e.g. environmental

justice for specific output 2). In addition, the action provides room to support activities that directly target the implementation of the Green Agenda for the Western Balkans.

Climate action relevant budget allocation: EUR 0 million

6. SUSTAINABILITY

The action will produce sustainable results in the short run since the entire beneficiary institutions/structures need to be already in place, and the action does not envisage establishment or financing of the new organisational units and their running costs. The integration of the key principles of public administration and the 'Better Regulation' approach into envisaged assistance will also contribute to sustainability of results. In particular, any support on *acquis* alignment will be done in an inclusive and evidence-based manner; any training, capacity-building and human resources development activities will be coordinated with the institution that is centrally responsible for human resources management and professional development of civil servants; and finally, any activity supporting the development of IT tools will ensure consistency with the interoperability standards in each beneficiary and, where these don't exist, they will promote consultations with the Ministries in charge of information society related matters.

7. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the action. The implementation of the communication activities shall be funded from the amounts allocated to the action.

All necessary measures will be taken to publicise the fact that the action has received funding from the EU in line with the EU communication and visibility requirements in force. All stakeholders and implementing partners shall ensure the visibility of EU Financial assistance provided through IPA II throughout all phases of the programme cycle.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives, as well as the benefits of the action for the general public. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions and will promote transparency and accountability on the use of funds.

Visibility and communication aspects shall be complementary to the activities implemented by the Directorate-General for Neighbourhood and Enlargement Negotiations and the EU Delegations/Office in the field. It is the responsibility of the implementing partner(s) to keep the EU Delegations/Office and the European Commission fully informed of the planning and implementation of the specific visibility and communication activities.

When relevant for a specific intervention envisaged under the action, the communication and visibility plan will be based on an agreed communication narrative and master messages customised for the different target audiences (stakeholders, business community, civil society, general public, etc.). Communication actions should aim to show the link between the funds invested and the policy priorities behind them and should ensure that all relevant stakeholders, and where possible also final beneficiaries, are informed of the donor's involvement.